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PTO/SB/05 (03-01)

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	<i>Attorney Docket No.</i> 7914-100-999 <i>Total Pages</i> 34 <i>First Named Inventor or Application Identifier</i> <b>Ezio BOMBARDELLI et al.</b> <i>Express Mail Label No.</i> N/A
<b>APPLICATION ELEMENTS</b> <i>See MPEP chapters 600 concerning utility patent application contents.</i>	<i>Address to:</i> <b>Commissioner for Patents P.O. Box 1450 Mail Stop PATENT APPLICATION Alexandria, VA 22313-1450</b>

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|--|---|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form<br><i>(Submit an original, and a duplicate for fee processing)</i>   | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)   |
| 2. <input type="checkbox"/> Applicant claims Small Entity status, see 37 C.F.R. § 1.27   | 8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission<br><i>(if applicable, all necessary)</i> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Form (CRF)</li> <li>b. <input type="checkbox"/> Specification Sequence Listing on:           <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li>ii. <input type="checkbox"/> paper</li> </ul> </li> <li>c. <input type="checkbox"/> Statement verifying identity of above copies</li> </ul> |
| 3. <input checked="" type="checkbox"/> Specification<br><i>(preferred arrangement set forth below, MPEP 1503.01)</i> <ul style="list-style-type: none"> <li>- Descriptive title of the Invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R&amp;D</li> <li>- Reference to Microfiche Appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (if filed)</li> <li>- Detailed Description of the Invention (including drawings, if filed)</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> | 4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113)<br><small>[Total Sheets 1 ]</small>  |
| 5. <input checked="" type="checkbox"/> Oath or Declaration<br><ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br/> <i>(for continuation/divisional with Box 18 completed)</i> <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> DELETION OF INVENTOR(S)<br/>           Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</li> </ul> </li> </ul>   | 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))   |
| 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76  | 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement<br><i>(when there is an assignee)</i> <input type="checkbox"/> Power of Attorney  |
|  | 11. <input type="checkbox"/> English Translation Document (if applicable)   |
|  | 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations  |
|  | 13. <input checked="" type="checkbox"/> Preliminary Amendment   |
|  | 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br><i>(Should be specifically itemized)</i>  |
|  | 15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br><i>(if foreign priority is claimed)</i>  |
|  | 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or its equivalent   |
|  | 17. <input type="checkbox"/> Other:   |

**18. If a CONTINUATING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:**

Continuation     Divisional     Continuation-in-part (CIP)    | of prior application No.: 09/902,226 filed July 11, 2001.

Prior application information:    Examiner: M. Flood    Group Art Unit: 1654

**For CONTINUATION OR DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

#### 19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number <div style="border: 1px dashed black; padding: 2px; display: inline-block;">XXXXXXXXXXXXXX</div> <div style="margin-left: 10px;"><i>Insert Customer No. or Attach bar code label here)</i></div>		20582	or <input type="checkbox"/> Correspondence address below	
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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application:      Examiner M. Flood  
                             Art Unit 1654

Commissioner for Patents  
 P.O. Box 1450  
 Mail Stop PATENT APPLICATION  
 Alexandria, VA 22313-1450

Sir:

This is a request for filing a  continuation  divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/902,226 filed on July 11, 2001.

of Ezio BOMBARDELLI and Bruto GABETTA

(inventor(s) currently of record in prior application)

for SOYA EXTRACT, PROCESS FOR ITS PREPARATION AND PHARMACEUTICAL COMPOSITION  
 (title of invention)

1.  The filing fee is calculated below:

**PATENT APPLICATION FEE VALUE**

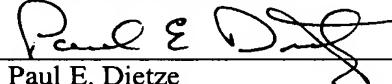
TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	10	- 20	0	\$18.00 each	\$ 0.00
Independent	3	- 3	0	\$84.00 each	\$ 0.00
			Minimum Fee		\$ 750.00
			Multiple Dependency Fee		\$ 0.00
			If Applicable (\$280.00)		
				Total	\$ 750.00
			Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern		\$ 0.00
				Total Filing Fee	\$ 750.00

2.  Please enter the Preliminary Amendment submitted herewith before calculating the fees due.
3.  Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
- 4a.  New formal drawings are enclosed.
- 4b.  Informal drawings are enclosed.
- 5a.  Priority of application no. 197 32 866.0, filed on July 30, 1997 in Germany; application no. 197 32 855.5, filed on July 30, 1997 in Germany; application no. 197 32 822.9, filed on July 30, 1997 in Germany is claimed under 35 U.S.C. §119.
- 5b.  The certified copy has been filed in prior application no. 09/492,921, filed January 28, 2000.

PENNIE & EDMONDS LLP DOCKET NO 7914-100-999

6.  The prior application is assigned of record to Indena SpA by virtue of an assignment executed on February 29, 2000 and recorded on April 11, 2000 at Reel 010753/Frame 0223 in prior application no. 09/492,921, filed January 28, 2000.
- 7a.  The Power of Attorney appears in the original papers in prior application no. 09/492,921, filed January 28, 2000.
- 7b.  A Power of Attorney is enclosed.
8.  This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9.  The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10.  DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11.  Additional enclosures or instruction: Preliminary Amendment and Information Disclosure Statement

Respectfully submitted,



Paul E. Dietze  
PENNIE & EDMONDS LLP  
1667 K Street N.W.  
Washington, DC 20006  
(202) 496-4400

(Reg. No. 45,627)

Date June 30, 2003

For: Thomas G. Rowan (Reg. No. 34,419)  
PENNIE & EDMONDS LLP  
1155 Avenue of The Americas  
New York, NY 10036-2711  
(212) 790-9090